App.F.IX-4

1924.

File No. 240-24

Previous References (Mysore)

Serial Nos. 1 – 11

Mys 7 – 98

Later references.

1-4

Mys 105 29 1 – 4

" 180-33-1

GENERAL AND REVENUE SECRETARIAT.

" 38-37 (3-6)

" 137-38 (1-2)

Law 60-41 (1-4)

Serial Nos. 11

Part B for November 1925.

SUBJECT

Appeal petition from Pandurangu Bhatta of Sirsi praying that pending the execution of the orders of the lower court re lease of the lands in Hirsakuna Village stay orders may be passe

RR 654 dated 26.11.25

To the Dy. Comr.

The case remanded for fresh enquiry etc

G. R S. 11] 1924

GENERAL AND REVENUE SECRETARIAT.

(Inwards)

NOTES.

File No. 240-2

FILE HEADING.

Lease of Kondayam Lands in Hiresakuna Village in the Sorab Taluk belonging to the Ranganatha Swamy temple at Sorab

From

Pandurangа Bhatta s/o Ranga Bhatta of Sorab

No. Petition Dated 18.2.1925. Received

Diary No.	Enclos. —	Spare Copies. —	Serial No.
1398			1

BRIEF ABSTRACT OF LETTER.

Appeals against the Revs. Comrs. order directing that in view of the apltt. being possession of the temple land it is open to the Dy. Comr. to fix the rent at fair rates and offer the lands to apltt. for a fixed term,

NOTES AND ORDERS.

and prays that during the pendency of the appeal, the execution of the orders of the Lower courts, may be stayed

The petition is duly stamped. A copy of the Revs. Comrs. order appealed against

(7)

NOTES—First Sheet.

S.2 Appeal of Srinivasachar of Sorab in the same matter

Serial No.

is produced -

2) The Res. comrs. order appealed against is dated 19th Novr. 1924 and the appeal petition was received in the Secty on 19.2.25 - the appeal is in time -

3) In S.G. no. 1734-6/Muz. 112-20-2 dt 18.11.20 fixing a scale of income and expenditure, the Dy. Comr. was requested to dispose of the lease of the inam lands of the temple & the best arrangements in the interests. He after claims adverse rights to the lands in his letter for orders.

27.2.25 4) The order of the Muz Comr seems to be quite Equitable in view of the fact that the lands have been declared to belong to the Muzrai Institution and the tenants have been recognised as Kadim tenants. His request for stay of execution of order need not perhaps be complied with

NOTE—Contn. sheet

WD 0561—GPB—3750—1 8 22

5) The connected papers with a report on the appeal may be called for from the Munsif Cm.

Sd
27.1.25

6) The proposal at A may be approved

28.2.25

Sd
26/2

2.3.25.

Rev Ser
1st Mch
2/3

7) Yes

dy
6/3

Sd
7.3

7.3.25.

DV
7/3

8) DO Intimn.

M
11.3.25.

Sd
11/3/25

9) Issue

11.3.25

M.3. To the Munsif Tammam. No. 1344
d. 13.3.25. The above petitions are re-
ferred with connected records.

Sds. 4, 5 & 6

3 Petitions dated 22/2/1925
from Mahantappa, Suna Setty and Muralidhara
Rao Gokhale. Re the lands of Sri
Ranganatha Swamy temple at
Sosale.

10) A draft forwarding these petit

G. D. S. III.2]

1493/44(1)

Muzrai Secretariat | Muz. File No. 210 of 1926

Serial No.	
	ii cartn for report, is submitted for appl or other orders Ag Dy 24.3.25 24/3/25 11) Done 24/3/25
7	To the Muzrai Commr. No. 16/12 dt. 28.3.25. Fds. the above petitions in continuation of this office letter cited and requests him to expedite the submn of the report.
8	From, The Muzrai Commr Letter no. 1115 Dy 8-5-25. Submits report with records relating to the case. 12) The Dy. Comrs. Letter Dy 204/25 which accompanys the Muz. Comrs. letter under disposal, goes fully into the facts of the case. 13) Sri Ranganatha Swamy temple at Sorab is a Muzrai institution enjoying cash grants and land inam

NOTE—Contn sheet

WD 0501—GPB—3750—1-8-22

R. S. III. 2]

Muzrai Secretariat

Muz. File No. 210 of 192 [illegible]

Serial No.

It is in possession of Kandayam lands which have been in the enjoyment of third parties only a nominal income being derived for the temple. Under G.O: Dy 18th June 1920 Sanctioning a scale for the temple, steps were taken to lease out the temple lands to its best advantage. Panduranga Bhatta and others protested against the sale of the Saguvali Hak of the lands, [illegible] alleging that they were the absolute owners of the lands. It is reported that in connection with a civil litigation, the chief court decided that the holders were only tenants and that they were [illegible] to pay rent,

NOTE—Contn. sheet

WT 5567 [illegible] 8750—18 22

R. S. III 2]

(6

Muzrai Secretariat | Muz. File No. 71.6 of 1921

Serial No.

The matter came up before the Dy Comr and that officer directed that the contention of the petrs that they were the real occupants of temple Kandayam lands was untenable that their position was no more than that of the tenants and that it is open to the authorities to re-lease the lands to the best advantage of the instn An appeal having been preferred to the Revl Comr that Officer dismissed the appeal with the observation that in view of the apltS' long possession, it is open to the Dy Comr to fix the rent

NOTE—Contn. sheet

WD 0561 GPB- 3750—1 8 22

Serial No.

at fair rates and offer the lands to the apltg. for a fixed term.

(4) Against this order, Pandurauga Bhatta and others have appealed to Govt.- they allege that the payment of kandayam by their family for over 100 years establishes the petrs. absolute rights to the lands, that they are kadim tenants and that the Revenue authorities offering the lands to them at a fair rent and for a fixed term does not harmonize with the idea of kadim tenancy etc.

May the appeal be posted for hearing?

Submitted for order,
AV 12.5.25

WD 0561 - GPB--3750--1 8 22

S. III-21

1746 8

Muzrai
Secretariat

Muz. File No. 9 Muz of 1924

Serial No. 15

1) What are the S Nos involved in the a civil litigation in 1890. Are they identical with the S Nos now in question

2) Who is paying kandayam for the lands in question? Have the appellants been paying any portion thereof?

16) The note put up is very superficial. The records must be gone through carefully & full note put up. The crucial points have been indicated above

14.5.25

17) The records were fully gone into and no information is available in the records.

18) A D/P. enquiry is submitted as directed.

AG
18.5.25

10) Issue

9 To The Manager, Kumaratte. Ref. No. 1880 dt. 21.5.25. With few further inquiries regards the S. Nos. involved in civil litigation in 1890 & the persons paying Kandayam to Govt. for the lands in question.

Sw 22/5

IE—Contn. sheet

WD 0561—GPB—3750—1 8 22

Muzrai Secretariat | Muz. File No. 240 of 192 4

Serial No.

10. From, The Muz. Comr.
Letter no. C. 1115 dt 11-8-25.
Submits further report called for in sl. 9.

20) The Dy. Comrs. report dt 276 dt 27-7-1925 received under cover of the Muz. Comrs Comr. under acknowledgement, gives full information on the points of the Asstt Secretary in the previous page

21) 9. no. 1.
The S. nos. involved in the civil litigation in 1890 are not specified in the civil court judgments.
The Dy. Comr thinks that the lands refd. to in the civil suit may be the S. nos noted against Sajjevalli... not in the Kulavara [illegible] prepared in

NOTE—Contn. sheet

WD 0561—GPB—3750—1 8 22

G. R. S. III-2]

Muzrai Secretariat | Muz. File No. 240 of 1924

Serial No 22

Q. no. ii

It is reported that both kandayam due to Swk and the nigalé due to the temple were being received from the Sapuvalidars of the lands, the kandayam being credited to Land Revenue and the nigalé to the temple funds, and that for the last 3 years, the kandayam due to Swk is being paid out of the temple funds for the last 3 years.

Submitted for orders

AV 15.8.26 DV 17.8.25

2) The Khatas of the lands & lands in the name of the temples. It is ascertained that the Sapuvalidars kandayam and nigalé with temple ittadi and that the last three years kandayam is being paid from the temple funds as the Sapuvalidars are defaulting. There is the Jeevanmuti of 1890 also against the Sapuvalidars All these

NOTE—Contn sheet

WD 0561—GPB—3750—1 8 22

G. R. S. III-2]

Muzrai Secretariat | Muz. File No. of 192

Serial No

point is the Conclusion that the appellants are no more than ~~tenants~~ lessees. It may be that they have been in possession of the lands as lessees for a long time but that cannot create any right against the temple itself. The appeal may perhaps be rejected

17.8.25

Rec-Reg)

24) The full facts of the case are contained in the reports of the D.C Exs E & I.

25) The petitioners have no case before that they are the Uladiem tenants.

26) The question is one of fact and the Rev authorities taken are cited in the Rev.

The petition has to be rejected.

If considered desirable, a hearing might given to the below:-

1. Members.

27.8.25

27.8.25

2 Whether in the D is order there was appearance of the Rc & records of them in the file? If so, is any one

WD 0561 - GPB—3750—1 8 22

NOTE—Contn sheet

2 Whether the Rc competent to pass an order of this nature? If so, under what provision of Law

29/8

D 225
R

Sc 12

ai
Secretariat

Muz. File No. 240 of 192 4

Serial No.

(D) Mr Des' order should have been flagged A

1) The Revenue Comr's order appealed against is flagged A

Submitted
30.8.25 31/8/25

2) The Rev. Comr seems to have Entertained the appeal in his Capacity of Rev. Comr because the lands are Govt lands and Inam lands stands in the name of the ~~State~~ Deity. Strictly speaking this is not a correct procedure. He cannot pass the order appealed against as Rev. Comr, but he could as Muzrai Comr in view of the fact that the circumstance has not materially altered the decision if it is for Consideration if the order should may remain as it stands. Anyhow if the hearing is given both parties & Govt pass order in the Muzrai Dept, while also pointing out the discrepancy with Rev. Comr, the invalidity of the order may not arise.

17.9.25.

Rev. Secy

3) I have flagged the Des order of 14.12.1923. - Flag. A. page 29 in the

NOTE—Contn. sheet

WD 0561- GPB- 3750—1 8 22

Flagged A 9/9/25

R. S. III. 2]

208

Muzrai Secretariat

Muz. File No. 240 of 1924

Serial No.

Vernacular records.

Thakur Singh explains how the matter is within the purview of the Rev depts. The parties appealed to the Rev commr who (1st member) dismissed the appeal.

21.9.25.

618
23.9

22 9 25

31) Can any one put forward reasons why the order should not be given to the parties

5/10 h 6/10

h 10 25

32) Put up

33) Done

10 10 25.

case heard & orders passed on 7/11/25.

NOTE—Contn. sheet

Orig. Order Sheet 15

Attached A D/1 (3)

WD 0561—GPB—3750—1 8 22

Serial No 34

Case called

Mess. N Somasundaram, C. Krishnappa & D Krishnan for appellants. Dr. Shr-2 appellants present in person

35) In this case, Cavalam Kandagam lands which are registered in the name of the temple under law which have been long in the possession of the appellants & were added to the D. is to be vested on behalf of the temple and leases are granted in the interests of the temple, have been

C

D

A

the order of the S.D.O. confirming the D.C.'s order as to the first one on appeal; the appellants have approached for a modification of the order

36) The contention of the appellants is that though the lands were shown erroneously registered in the name of the temple, they were inam lands & that they have been in possession & enjoyment of the lands as owners paying assessment thereto & to the Govt. & that they have never paid any rent to the temple in respect of the lands, as regards the assessment. It is also contended that there is no provision of law under which they can be summarily ousted after a enjoyment of the possession of the lands for the last 60 years

(Appeal Petition)

9/ Written Statement & 3.10.22 presented before the Bench)

37) With regard to the first of the above contentions, it does not appear that there has been any

NOTE.—Contd. Sheet

115

[App. F. III—2

and Revenue Secretariat | File No 1110 of 192 by D

Serial No

Enquiry made as evidence records kept in respect of the ownership of the lands of the alleged payment of mokata of the occupants of being to the temple. As per section of the Act of 1891 it appears to be authority for holding that the lands in question belong to the temple But is cannot be made out of what the lands were which the Judges made the Judges' of dispute in that case and which they were the same as those now in possession & claimed of the appellants as their Devasthanam property (see 38) It is therefore necessary that a thorough Enquiry should be made in the presence of the parties about the ownership of the lands in question whether they are the property of the temple or of the appellants and in the former case whether the appellants are permanent tenants. & Evidence to be taken in possession of the lands as long as they pay a certain mokata or farcant or rent who can be turned out of the (as land lord) at any time; and that of deposits from the with necessary sketches of the Stones be recorded as to the above points.

39) Accordingly that it is decided that the lands are the property of the temple the next point for consideration is how the temple stands to the lands possession of the lands stand or stands for the temple — whether they can be restored to the temple of the Rent or other emoluments of Service, process or whether the remedy shd be had to a

Contn Sheet

and Revenue Secretariat | File No. [illegible] of 192 [illegible]

Serial No

Civil Courts of the Temples for Bt's persons & the lands'. I am unable to see under what provision of Rev laws the Rev Com'r cognisance appears to be ordered [illegible] & directly his summoning Evidence of the appellants from the lands & the seizure & sale of the lands & execution for the benefit of the Temples I do not think this Govt can order or can be ordered by the Rev authorities under any provision of laws now in force & the Govt cannot pass Executive orders in cases falling under Section 10 of the Rent Recovery Act & the present case does not appear to come under the above Section Nor is there any provision of law for the Executive of the appellants & the assumption of the lands by summary process of the Rev or Civil authorities but proper course is to take suit in Civil Court for the lands of the Temples for the Temples & a civil Court

has) for the above reasons. In order under appeal is set aside & the case remanded for fresh enquiry & disposal according to law in the light of the observations made above

7/11/25

7.11.25

Note—Contn Sheet

Serial No

4/1/DKF Submitted

DV 6.11.25) A Typed Draft is placed on the file.

~~[illegible]~~

AV 21.11.25. BG 21.11.25

21.11.25

18

D 3535

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE
MAHARAJA OF MYSORE,
GALORE.

.*.*.*

PETITION. Panduranga Bhatta bin Rangabhatta Bhave
Madhva Brahmin, Agriculturist,
and resident of Sorab Town in
Shimoga District.

- VERSUS -

OPPONENT:- Government of Mysore.

..*.*.*

Under Section 207 of Mysore Land Revenue Code, the Petitioner prays that this Hon'ble Court may be pleased to send for the records in Revenue Appeal No.6 of 1924-1925 on the file of the Revenue Commissioner in Mysore, examine the same and revise the order dated 14[illegible]19th November 1924 passed therein confirming the decision of the Deputy Commissioner of Shimoga, dated 14th December 1923.

A. Facts of the case.

The Petitioner is in possession with full rights of ownership of lands bearing Resurvey Nos. 39, 121, 88, 81, 54(part of) and 109 situated in Fire-Sakuna village in Sorab Taluk, measuring in aggregate 21 acres 24 guntas and liable for an annual assessment

assessment of Rs 57-4-0. The said Survey numbers comprise of both wet and dry lands the former kind being about 14 acres 19 guntas in extent with an assessment of Rs 55-4-0 and the latter 7 acres and 6 guntas with an assessment of Rs 2-0-0.Except the Survey numbers 88 and 109, the remaining numbers which correspond to Maji Nos.54,29 & 8 have all along belonged to the right and possession of the Petitioner's ancestors for over 100 years. So far as the records in the Petitioner's possession show, the Khata of the lands stood in the name of his grand-father Mulamane Subba Bhatta so far back as 1850 and he continued to enjoy them and to pay their assessment till about 1854 when he died. After his death, the khata was transferred to the name of the Petitioner's father, Rangabhatta in about 1854 who continued to enjoy them and died about just about a year after the introduction of the Resurvey settlement which was in 1871-1872 when the Petitioner could not have been more than 2 years in age. After his father's death, the title to the lands became vested in the Petitioner who has every since been enjoying them with full rights of ownership and paying the assessment to the Government. The certified copy of the Chitta Extracts for the years 1850 to 1872 herewith produced supports the abovenamed facts.

As regards the Resurvey No.88 which corresponds to ~~and known as Mukkanasinegadde~~ maji No.8, ~~and which is known as Mukkanasinagadde~~

it was obtained on Darkhast by the Petitioner's grand-father Mulemane Subba Bhatta in about - 1851 and the Khate was also made in his name then. At the time of the original Survey - Settlement, the land came to bear Survey No.100 and then at the subsequent Resurvey, the number was changed to 88. With regards to Resurvey No.109 which corresponds to maji No.4 and known as Daradakatte Gadde it was also obtained in Darkhast in about 1847 by one Halonpaikada - Siviah and the Khate was also made in his name as the Chitta Extract for the year 1887 herewith produced shows. The land which was thus in the possession of Siviah in his own right became Survey No.106 at the time of Survey and Settlement. It was sold by the original - Proprietor Siviah's son Soma to the Petitioner on or about 1896 under a Registered sale deed and ever since then the Petitioner has been - enjoying the land with full rights of ownership by paying the assessment to the Government - annually.

That although the title and the possession to the lands have vested in the Petitioner's ancestors and predecessors-in-title, for some unknown reason they seem to have been registered in the name of Sri Ranganathaswami of Sorab just about 2 or 3 years after the introduction of the original Survey Settlement. But purporting to act in - pursuance of the Government Order of November 1920 fixing a scale of expenditure for the said Institution, notice was issued by the Amildar of Sorab

to

to the Petitioner on or about 6th August 1922 directing him to deliver them to the possession of the Government and stating that on failure to do so, action under Section 209, Land - Revenue Code would be taken against him. On the Petitioner complaining against the said notices, the matter went up to the consideration of the Deputy Commissioner who held in his Order dated 14th December 1923 that the Petitioner was not a Hiduvalidar in his own rights and that the authorities had rights to lease the lands. On the Petitioner appealing to the Revenue Commissioner against the Deputy - Commissioner's Order, the Revenue Commissioner has dismissed his appeal in his Order dated - 14th/19th November 1924 and hence this petition to revise the order.

B. Grounds of appeal.

1. That the learned Revenue Commissioner has erred in law in holding that the Petitioner has been recognised as a Kadim tenant although the first notice issued to him on or about 6th August 1922 by the Taluk Amildar, Sorab, calling on him to deliver possession to the Government expressly describes him as a trespasser and - holds out a threat of evict under Section 209, Land Revenue Code on the score of wrongful possession.

2. That the learned Revenue Commissioner has fallen into an apparent mistake of fact in thinking that the Civil Suit namely Chief-

Court

Chief Court Second Appeal No.1120/1890 decided that the lands in possession of the Petitioner belonged to the temple, although neither the Petitioner was a party to the said Suit nor the said lands formed the subject matter of the said Suit.

3. That the procedure adopted by the Revenue authorities in seeking to leave the lands in the Petitioner's possession is without jurisdiction and void in as much as the Government Order No.1734-6/Muz. 112-20-2 dated 18-11-1920 does not aurhorize the Revenue authorities to lease the Kandayam lands in the Khate of Sri Ranganathaswami of Sorab, but only the Inam lands.

4. That the Lower authorities have all erred in misunderstanding the legal effect of the mere change of Registry effected at the Survey Settlement in the name of Diety as estopping the Petitioner from setting up a claim of occupancy though he was then only a child not more than 2 years in age and though the said change was made without his guardian's consent or approval.

5. That all the Lower authorities have acted with material irregularity of procedure in not taking them into account and ignoring the circumstances under which the lands came to be vested upon Petitioner's ancestors and predecessors in title which establish the Petitioner's title to them in absolute ownership.

6. That

6. That there being nothing on the records to prove that the Temple has realized any benefits from out of the lands in the - possession of the Petitioner and that the Petitioner or his predecessors have paid anything to the temple out of their usufruit by way of rent in kind or in coin, the Revenue Commissioner has manifestly erred in holding the lands to belong to Temple and the Petitioner to be their tenant.

7. That the Learned Revenue Commissioner's Order that the Deputy Commissioner may offer the lands to the Petitioner at a fair rent fixed in amount and offer it for a fixed term does not harmonise with and is opposed to the idea of Kadim tenanty as - suggested in his order.

8. That the payment of Kandayam of the lands by the Petitioner and his ancestors for over 100 years past establishes the - absolute Petitioner's sole rights to the lands in the sole ownership.

9. That the Order of the Revenue - Commissioner is manifestly opposed to law, unjust and inequitable on the facts found in the available records.

10. P r a y e r.

Wherefore the Petitioner prays that the Government may be pleased to examine all the available records and set aside the order of

the

the Lower Courts and in the meanwhile, during the pendency of this petition to direct stay of execution of the Lower Courts' Orders.

Bangalore City,
18th Feby. '25.

[signature]

[signature]

[signature]

[signature]

[signature]

[signature]

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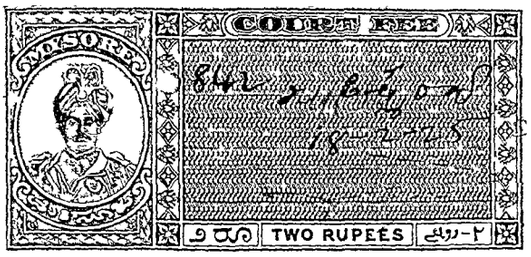


Before the Court of H.C. Hayavadana Rao
Chief Magistrate of Bangalore City
ಕೋರ್ಟಿನಲ್ಲಿ. Bangalore

192—2—ನೆ

Revenue Recovery Suit

ವಾದಿ ಯಾ ಅರ್ಜೀದಾರನ — ಪ್ರತಿವಾದಿ ಯಾ ಅಪ್ರೀಸೆಂಟ್

Ramchandra Shetty

ವಿರುದ್ಧ

ಮಾ॥ ರಾ॥ ಮಾಡಿಕೊಂಡ ಪ್ರತಿಜ್ಞಾ ಪತ್ರಿಕೆ ಅಂದರೆ ವಕಾಲತ್‌ನಾಮಾ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಆಯ್ಕೆರುವರಿಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದ ಜರಗಿಸುವದಕ್ಕೂ, ನನ್ನ ಪರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ ಡಿಕ್ರಿಯನ್ನೂ ಜಾರಿಕ್ರಮ ನಡಿಸಿ ಹಣ ವಸೂಲುಮಾಡಿ ಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗ ಕೋರ್ಟಿನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಶಿಲ್ಕು ಮೊಬಲಗು ರೀಫಂಡು ಸ್ಟ್ಯಾಂಪು ಮೊಬಲಗು ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸು ಪಡಿಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ತಾವ ಲಾಯರಾಗಲಿ ಡಿಟೊ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇದ್ದೇನ.

ರುಜು.

ಈ ಮೊಖ್ತಾರುನಾಮೆ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯ ಸ್ತರಾಗಿ ನನ್ನ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ.

ಈ ಮೊಖ್ತಾರುನಾಮ ಅಂಗೀಕರಿಸಿ ಇದ್ದೇನ.

ತಾರೀಖು. 12.....1925

Standard Press, 35 Manavarthepet, Bangalore City

only

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read the following papers:-

Government Proceedings No. 208, dated the 5th August 1897, passing orders in the matter of alienation of the Inam Lands attached to the Sri Chennakesava Devaru temple at Balgar in the Tirthahalli Taluk.

Petition No. 1152, dated 26th October 1897, from Nagesha Rao and Rama Rao, compalining against the orders of the Deputy Commissioner of the Shimoga District, resuming the Devadaya Inam lands from the possessio of the alienees.

Petition No. 437, dated 3rd September 1900, from Mari Bhatta appealing against the order of the Deputy Commissioner, dispossesing him of the Inam lands attached to the ~~land~~ temple

And :-

Correspondence ending with the Inam Superintendent's Docket No. 2[illegible] dated 11th October 1901.

No. 1894-6- Muz 97-98, Dated Bangaloro, 13th March 1903.

Order thereon.- The facts of the case are as follow:- The marginally noted Inam lands situated in the village of Bhartipur and Beksakenchanagadde in the Tirthahalli Taluk have been granted as Devadaya Inam to the Sri Chennakesavaswami temple in Balgar. Of these only the land in Beksakenchanagadde village was in the possession of the temple. Of the lands in Bhartipur, Sur. Nos. 24 and 26 were reported to be in the possession of one Mari Bhatta and the other two viz., Survey Nos. 28 and 30 were being enjoyed by another individual Lakshminarayanappa. Those persons, besides paying Jodi on the lands in their possession, were giving annually ₹ 34-10-8 and ₹ 34-8-, respectively, to the archak, in consideration of their enjoyment of the lands. The archak of the temple petitioned this office stating that the lands yeilded an annual income of about ₹ 320, whereas he got only ₹ 49 odd which was hrdly sufficient for the proper performance of dail

Village.	S.No.	Extent.	Assessment.	Jodi etc., payable to Govt
		A. G.	Rs. a. p.	
Bhartipur.	24.	1- 3	21-0-0	
	26	0- 20	8-0-0	
	28	1- 18	23-0-0	37-13-0
	30	0- 2	1-0-0	
Total.		3- 3	53-0-0	
		K. G. P.	Daya Nasa	
Beksakencha naGadde.	50	24-7- 2	55	49-2-10

f daily services in the temple and prayed therefore be resumed from the possession of the alinees and restored to The Deputy Commissioner also reported that both Mari Bhatta Narayappa failed to produce any evidence to show that the lands in question had been granted to them for permanent cultivation by any competent authority and that they merely ~~pleaded~~ pleaded that the lands had been in their possession and enjoyment for several years past. Thereupon the Deputy Commissioner was requested to enquire and report why the lands in question should not be resumed from the possession of Mari Bhatta and Lakshminarayanappa and leased out to others for a reasonable rent on behalf of the temple; and it was also observed that if the holders themselves offered to pay such rents as might be offered by others or deemed reasonable by the Deputy Commissioner, they might be permitted continue in possession of the lands. The Deputy Commissioner served notices on them accordingly, but as they paid no heed to the same, he resumed the lands from the alinees, in consultation with the Inam Superintendent, and leased them out to others for a period of ten years on terms more profitable to the institution. Against this order of the Deputy Commissioner, Mari Bhatta and Lakshminarayanappa's nephews Nageshe Rao and Rama Rao have appealed to Government.

2. The Deputy Commissioner now reports that Mari Bhatta seems have been in possession and enjoyment of Survey Nos. 24 and 26 for more than 50 years and that in support of his claim he has produced Kuli Jamabandy Account of 1834-35. As regards Survey Nos. 28 and 30, he state that one Krishnaiya purchased the said Guvali Nak in 1836 and that after demise, Lakshminarayanappa and on the latter's death his nephews Nageshe and Rama Rao were in possession and enjoyment of the lands paying Rs 24 to the temple in addition to the jodi amount payable to Government.

3. Thus it is clear that the survey Nos. 28 and 30 were alienated subsequent to 1836, and therefore the alienation requires to be dealt with under Clause 5, Rule II of Government Notification No. R 286, dat 17th November 1877. The Deputy Commissioner's order resuming these lan under the said authority quoted above is accordingly upheld and the appe is rejected.

As regards Survey Nos. 24 and 26 :-

2. in view the fact that these numbers had been in the possession and enjoyment of Mari Bhatta and his ancestors for upwards of 50 years, as reported by the Deputy Commissioner and that in support of his claim Mari Bhatta has produced the Kuluvar Jamabandy account of 1834 35, Government deem it inexpedient to interfere with the possession and enjoyment of the land by the alienee. A mutchalika should, however be obtained from Mari Bhatta to the effect that he and his decendents will continue to pay him to the temple as heretofore an sum of 24-10- annually, in addition to the jodia amount payable to Government. This amount will be paid into the Taluk Treasury and not to the Archa We will get it from the Treasury in the usual course.

5. The Deputy Commissioner is requested to give due effect to the above orders and report the result to Government, for information.

L. ANANTAJAMI RAO,
Dy. Secy. Muzrai Dept.

To -.
The Deputy Commissioner, Shimoga District, returning the vernacular records.
The Inam Superintendent in Mysore.
The Comptroller, to the Government of Mysore.

Copy

45.

TWO RUPEES

27 FEB 1925
MUZRAI

GENERAL & REV. SECTION
Dr. 25 FEB 1925
D SECTION

BEFORE THE GOVERNMENT OF H.H.THE MAHARAJA OF MYSORE

Muzrai Petition No. of 1924-25.

Srinivasachar, Sorab. Appellant.

--VS--

Ranganathaswami Temple, Sorab, by the Government. Respondent.

Under the Muzrai Regulation, the appellant abovenamed most respectfully begs to prefer this petition against the order of the Revenue Commissioner in Mysore dated 14th November 1924 for the following among other reasons:-

1. The order under appeal is one passed without jurisdiction.

2. The observation contained in the order is not one that can be given effect to as the point did not arise directly in the case and was not a matter for decision.

3. The appellant was no party to any Civil Court decree, so as to be bound by it and the reference to the Civil Court-decree against this appellant is therefore not tenable.

4. Possession does not follow registry of patta and this has been established in all Revenue and

Rao

and Civil Courts and therefore the mere fact that patta stands in the name of the Deity - does not follow that possession followed it. It is therefore a provision ~~xxxxx~~ has been - made in the Land Revenue Code to effect transfer of patta in the name of the person in long - enjoyment (Vide Section 70 of the Land Revenue Code) The learned Revenue Commissioner failed to apply this principle of law to the present - case and should have held that the remedy was - not time-barred.

5. Even if it is held that the appellant is a kadim tenant by reason of payment of kandayam he cannot be disturbed of the land in his - possession; nor can the terms of the tenancy can be varied.

6. It has not been shown by any tangible proof that the temple in question had any beneficial use of the produce of the lands in possession of the appellant. The lands have been - throughout in the exclusive possession and enjoyment of the appellant and his ancestors for over 100 years and the same cannot now be varied.

7. The order of the Revenue Commissioner is not supportable either in Law or in equity.

8. The appellant therefore prays that he may be accorded a hearing; the order of the - Revenue Commissioner be set aside; and that pending disposal of this petition the Government may be pleased to order v of execution of the

lower

lower Courts orders.

9. A typed copy of the order of the Revenue Commissioner is herewith submitted for reference.

BANGALORE
25. 2. 1925.

ADVOCATE for the appellant.

of 25. 2. 25

೨ ರೂ TWO RU ES ಮುದ್ರಾ

ಕೋರ್ಟಿಗೆ

192—ನೇ ನಂಬರು.

ಫಿರ್ಯಾದಿ ಅಥವಾ ಅರ್ಜೀದಾರ್.

ಪ್ರತಿವಾದಿ ಯಾ ಅಪ್ಪೋನೆಂಟ್.

V.S.

ಮ ॥ ರಾ ॥ .....ಗೆ.

ಬರೆಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಆಜ್ಞೈರುವರಿಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ಏವಾದ ನಡೆಸುವುದಕ್ಕೂ, ನನ್ನ ಪರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ, ಡಿಕ್ರಿಯನ್ನೂ, ಜಾರಿಕ್ರಮ ನಡಿಸಿ ಹಣ ವಸೂಲು ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟಿನಿಂದ ನಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಶಿಲ್ಕು ಮೊಬಲಗು ಪ್ರೋಸಿಸ್‌ನ್ಯಾಂಪು ದಾವಾನ್ಯಾಂಪು ಸಹ ಪಡಿಯಲಿಕ್ಕೂ, ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸು ಪಡಿಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿಧೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ಯಾವ ಆಯರಾಗಲಿ ಡಿಟೋ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನಡೆಯಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ದನಾಗಿ ಇರುತ್ತೇನೆ.

ತಾರೀಖು

ರುಜು

ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯ ಸ್ವರಾಗಿ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ.

ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇಧೇನೆ.

ತಾ 21-2-25

Apply to—S. Sul a Rao Brothers, Chickpet, Bangalore City.

ORDER OF THE REVENUE COMMISSIONER IN MYSORE.

Dated, Bangalore 14th November 1924.

SUBJECT:-

Appeal Petition(No. 6 of 1924-25 dated 9th July 1924) of S. Venkobachar and others of Hire Sakuna Village, Sorab Taluk, complaining of the Order of the Deputy Commissioner, Hassan District, declining to recognise their position in respect of the Temple lands in their holding as anything more than that of tenants and approving of the action of the Taluk Authorities in taking steps to release the lands to the best advantage of the institution.

****

FACTS OF THE CASE:--

The Appellants are in the enjoyment of certain Kandayam lands of Hire Sakuna Village belonging to the Temple of Sri Ranganathaswami at Sorab. Though the question of resuming the lands from the Hiduvalidars who contended that they would only pay the Survey Assessment under correspondence since 1905, it was in pursuance of the Government Order of November 1920, fixing a scale of expenditure for the institution that notices were issued to the holder of these lands to restore the lands in their possession to Government. The holders complained to the Sub Division Officer and the Deputy

Deputy Commissioner. On the latter calling for a report, the Sub Division Officer submitted the records with his No. D.1 Dis.6 of 1923 dated 27th August 1923 and stated that since the Khate stood in the name of the Temple, the Petitioners could not be registered occupants and since the Khate was, as admitted by them, changed to the name of the Diety so long back as 1871 at the time of the original settlement they were stopped from setting up a claim of occupancy for the first time, that in connection with a Civil litigation on the same question, the Chief Court had in Second Appeal No. 1120 of 1890, decided that the holders were only tenants, and that the Amildar's attempt to release the lands was quite in order. The Deputy Commissioner, agreeing with the Sub Division Officer, overruled the objection of the Petitioners and directed in his Order of 14th December 1923, that the Petitioners may be informed that their contention that they are the real occupants of the lands in the name of the Deity was not at all tenable and observed that it was open to the authorities to release the lands to the best advantage of the Institution. The present Appeal is against this Order. One of the Appellants, Panduranga Bhatta, who was present, was heard on 25th October 1924.

****

O R D E R.

It was definitely decided in the Civil suits that the properties belonging to the Temple

Temple and not to Appellants and they have also not been recognised as Kadim Tenants. The Appeal is therefore dismissed. In view of their long possession, however, it is open to the Deputy -- Commissioner to fix the rent at fair rates and not at the highest rate that could be obtained in auction (Vide Government Order No. 1894-6 Muz. E. 7-98 dated 18th March 1903), and offer the land to Appellants for a fixed term.

(Sd.) K. Chandy,
REVENUE COMMISSIONER.

" C O P Y"

(Sd.) K. G. Dutt,
For Revenue Commissioner.

Muz 4]

SUBJECT.....

.....

.....

Diary No. of letter replied to _____

Section Muz.
File No. 246-24.
Serial No.

Muzrai Secretariat
( )
, *the* 192 .

No. 1344

Date of issue 13-2-25

To Typed petitioners
title deeds.
The Muz. Comr

Signed by Asst T-R.

Sir,

I am directed to forward herewith four files of a report with the connected records, petitions nos 1398 and 1414 of 18th July and 25th July, 1925 from Pandurang Bhatta appealing against the Rev Comr's order directing that in view inter alia of the apltt's long possession over. of the lands belonging to

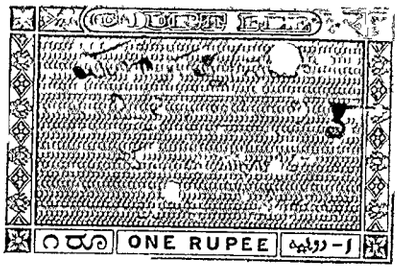
Sri Ranganather Swamy
temple at Soab,
it is open to the Dy Comr
to fix the rent at
fair rates and offer the
lands to the applt
for a fixed term etc
I have etc
11.5.25
Rev Secretary
Rly 11/3/25

List of enclosures.

Copied by

Examined by

WD 0563—GPB—2,500—27 7 22



54

By Upper
25/2/25

Mahantappa Hiresakuna village, Sorab TK
re: wrong inclusion of devara sannidhana
their land as Devadagu Inam

Rec. Secy. Jogur 1925 నేగ్ ఇస్తే పై విషయంకాంక్షు 22 రలు సనాబు శాయిం గ్ర
with complaint బక్క బావాగ్ని శ్రీ శ్రీకంఠనగ్రామద రిజిస్ట్రేషన్ నంబరే 2-62,136
కి.ం నేగ్ నంబరగళ్ళి ఇవళ్ళిచార్ పూజెనిప్పద మహాంతప్పన అప్పిల్ అర్జి
ని శ్రీకంఠనగ్రామవన్ను సర్వేరియాని ప్రూరాశదద లానాంశ్ను శ్రీకర మాళే మత్తు
అనుభవవిద్దు. 1871-72 నేగ్ ఇన్ని సర్వేయవరాబందియల్లి పూర్వదింద శ్రీకర
దేసరల్లి మాళే యూదద్దన్ను యూవ కార్యాదమేలే శ్రీరంగనాథ దేవరదేసదింద
మాశేమాడిద భోగ్యవన్ను శ్రీకంఠవదిల్ల ఈ మాళే యూ కార్యాదమేలే బదలాయి
సల్పట్టిశేన్నువ బగ్గే కాన్లాగు డిస్ట్రిక్ట్ దగ్గరే అప్పీలు సరవియే అవు గరశాం
డద్ద సర్వేజవణ్ణింది యూద బాబువష్ట్ దే ళ్ళ నీవు కర్ణాట
యూడ కళ్ళిద్దిక్కు ఈగదవనూ మాడలూవంవదిల్ల వేంక రమ్మంఅదద్దరం
నవళ్ళి చుమీర్ద్ద శ్రీ గే యూవ బాధ్యతయూ ఇల్ల ంబుదరచూలే
రేనూలనుభవిసి కోళ్ళిక్కా బందిరుత్తేవే.

శా. 6 8- 22రల్లి రాల్లూక అమలేదార్రవరు ఈగ్రామద సర్వే
నంబరే 2-62 మత్తు 136 జమీనుగళ్ళన్ను నాను ఆక్రమవాగిరిసి కొం
దిరువంతేయూ జమీను కాడల్లి సర్కారద కాలిదే వదిసి కోడదిద్దకా
యూ వదిసదిద్దరే ల్యాండ్ రెవిన్యూ రూల్సు ప్రకార జారి మాడువుదాగియూ
నోటీసు కొడిసువరగేలే అమలేదారు నాగరద సబ్ అసిస్టెంట్ కమిష్ట
రు. డెప్యూటి కమిష్టరవరిగే హాజరువరదంతే ఆజ్ఞెమాడి కొంతద్దన్ను నమ్మ
యూవ అడువాళు విచారిసదే అమలేదారవర రిపోర్టిగినతే మేల్మనవి
కమిష్టరవరు నాచ్చు చుమీర్ద్ద కన్నదార కల్లనేళ్ళు నా కేటవాగి సర్వేద్దన్ను

శేషన్నాచారి శ్రవణ్ ప్రాంతంలో అప్పీల్ చేసి కొండిద్దక్కి అవరసరమైన యూచవిధవాద విచారణ మాచడ్ కోప్పుచి శమీక్షనకే ప్రాంతీయం మాడిరు వ ఆర్డర్ న్యాయ వింశలూ బట్టి శొంతి కుత్తారి కార్యాసన్నిధి రంగుల్లో కోళ్ళకొట్టాంచే నేందరి

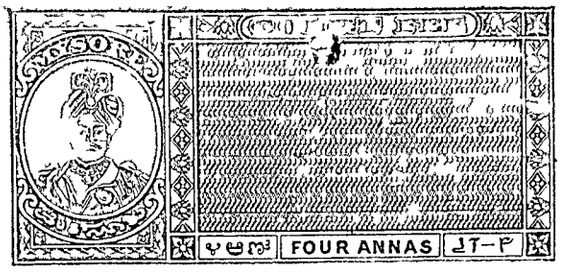
సదరి జమీన్ (1856 కింద) ప్రైవేట్ సమేనా బళ్ళి సోజమీన్ పూర్వాచ గణదారులకు రాంయ్య నుండి 1864-65 రల్లో రాజశబులు మూలధనం చుట్టూ పనోనామాలో 62 షేజ మీన్ మొత్తం 136 సోజులో పర్ శ్రంయం మూలధనం చుంది దాన్ని ఉలాగాయ్ నమ్మి తిరియరు అవారీవశినంతర నాన్యాదికారిలో చరిత్ర లంభవించినప్పుడు, 1871-72 రల్లో శ్రీరంగనాథదేవరు వంశ పాశే అనుచ గార్యాదమేలే బదలాయి సిశేన్నవ విధంగా అనుభవిస్తున్నట్లు

ఈవరిశే సర్వాధికారం పొందాంయ శోధ్చు శొండు అనుభవ మాడుశ్చిద్దేవే

ఉమూలదారవరు శెగేదవోయిసినలు ముజరాయి ప్రొసిడింగ్స్ నంబరు 1734-6 18-11-1920 సోదరల్లి ఇనాంజమీన్ముసల్మాన్ముచ్చి కమిషన్ స్థిరమాడ యిర్పుదేం రు ఇరుళ్ళదే సరకారిజమీనన్ను బిచ్చొశుదచ్చేగాగి కోర్టుపడు అనుచన్యాయమైన శేళ్ళంయ దని.

ఇదరంశే శ్రద్ధా మచల్లి ఇనామ్ అనేక సర్వాధికారి జమీనుగళ్ళు దేవరఖాశే నేపచరూ శ్రీరుపడ్చేనాడా బిట్టి ందొబ్బరిగే అరం శ్రేయ, భోగ్యమత్తు మున ఏర్పడే శోల్టూనల్లి సాలుశే రూ రాజవశ్రీ మూలశ అనేక వక్కాదశేళ్ళంచాగిదే రాజే దేవరకుళ్ళ దారి ఇరువల్లి ఈవళిశే అనుచవిధవాద కరశాలు నడవుదల్లి శ్రవణచుశ్రీ నోడుచుస శేశేది కాలదు కరంచా శ్రీకాచ నిర్ణయవాగిదే

FOUR ANNAS



FOUR ANNAS

By ಬೈಕಾರ
ಸುರ
Sura Selly Hire Sakuna village Sorab TK

Appeal re exclusion of their land ಅನ್ಯಾಯವಾಗಿ land wrongly Revenue ಕಂದಾಯ with consequential ಪರಿಣಾಮಕಾರಿ

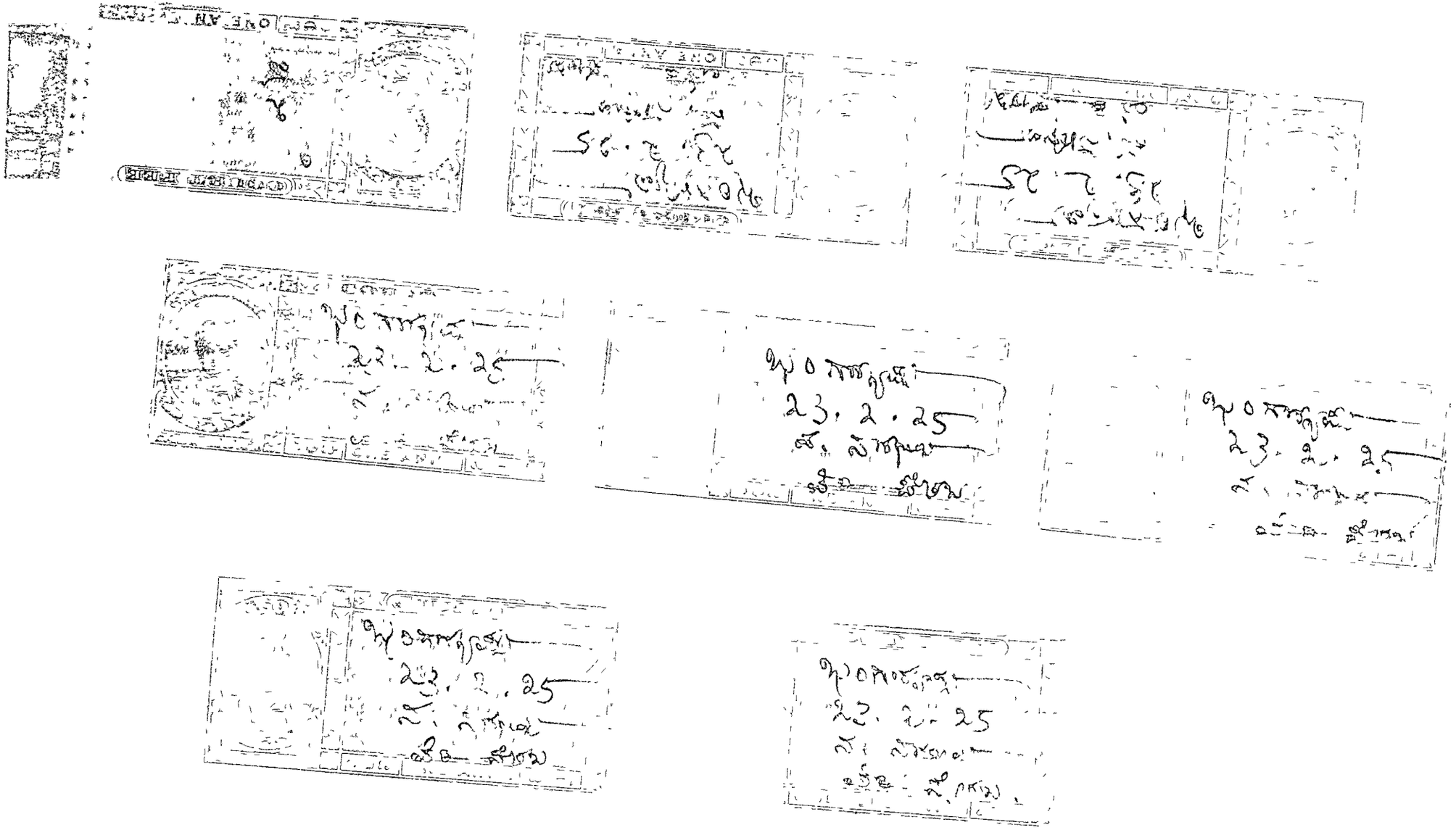
ಮೈಸೂರು ಸರ್ಕಾರದ ದಿವಾನ್ ಗಾಡಿಯಲ್ಲಿ ಬಹಾದ್ದೂರ್

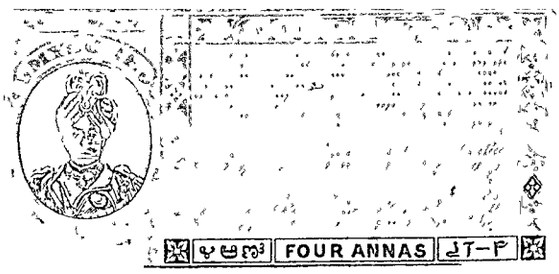
ರವರ ಸನ್ನಿಧಾನಕ್ಕೆ

13MAR1925 MUZ

ಅನುಬಂಧ ಸಲ್ಲಿಸುವ ಸಾರಂಶ ಏನೆಂದರೆ ಸೊರಬ ತಾಲೂಕಿನ ಹಿರೇಸಾಕುನ ಗ್ರಾಮದ ಹಕ್ಕಾನಿ ವಿವಿಜನ್ ಸರ್ವೇ ನಂಬರ್ 14/4, 48, 53, ಮತ್ತು 54/9 ನೇ ಹಿಡುವಳಿದಾರ ಬಂಗಾರಪ್ಪ ಸೋಮಪ್ಪ ಬೆಟ್ಟಿಬಿಳಿ ಸಾರಂಶ ಬೆಟ್ಟಿಕ್ಕಾರನ ಅಪ್ಪೀಲು ಅಬೀ ತಾ 22-2-1925 ಈ ಹಿರೇಸಾಕುನ ಗ್ರಾಮವನ್ನು ಸರ್ಕಾರದವರು ಪುರಾತನ ಲಾಗಾಯ್ತು ನಮ್ಮ ತಂದೆ ವಂಶಸ್ಥರದೇ ಅಂತ ಸಿದ್ಧ ಅವರ ಹೆಸರಿಗೆ ಅನುಭವದಲ್ಲಿದ್ದ ಮಾಗ್ಣೆ ಪರ್ವೇನಾ ಲದಲ್ಲಿ 1871-72 ನೇ ಪ್ರಾವರ್ತದಂತೆ ನಮ್ಮ ಹಿರಿಯರ ಹೆಸರಿಗೆ ಆಗಿದ್ದು ಬಹುವಾರ ಕಾರ್ಗಾದ ಮೇಲೆ ಶ್ರೀಲಾಲಾ ನಾಥಿದೇವರ ಹೆಸರಿಗೆ ಹೆಸರಿಗೆ ಮಾಡಿದರು ಈ ಸಂಗತಿ ನಮಗೆ ಗೊತ್ತಾಗಿದ್ದೆ ಹೆಸರು ಬದಲಾವಣೆ ಆಗಿರುವಿಷಯ ಬಗ್ಗೆ ಶಿಸ್ತಿನ ವಡನೆ ನಮ್ಮ ಹಿರಿಯರು ಹೆಸರು ಹೆಸರಾಗಿದ್ದ ಮೇಲೆ ಬದಲಾಯಿಸಲ್ಪಟ್ಟಿ ಕೆಂಬಬಗ್ಗೆ ಲಾಲ್ಗೂ ಗಮನಕ್ಕೆ ದಿಸ್ಪ್ರಕ್ಟಿವಸ್ಟ್ರೈಕ್ ಆಫ್ ಲೆವಡದಿರಲಿ ಈ ಚಾಲುವರಗಳಿಂದ ಸರ್ವೇಜಮಾಬಂದಿಯಾದ ಬಂದುವರ್ಷ ದೇವ್ಯಾಗಾಗಿ ಶಕಾರಾಯವಾಗಿ ಕಟ್ಟಿದ್ದು ಈಗ ಮನೆ ಮಾಡಲಾಗುವುದಿಲ್ಲವೆಂದು ಹೇಳಿ ಅದರಲೆ ನಮ್ಮ ಜಮೀನ್ ಹಕ್ಕಿಗೆ ಬಂಧಾಯಬಾರದೆಂದಾಗಲಿ ಸರ್ಕಾರದ ಕಂದಾಯ ಶೆಡ್ಯೂಲ್ ಅನುಭವಿಸುತ್ತಾ ಬಂದಿರುತ್ತಿದೆ

ಕಾರಣ ಈ ಎರ್ಡು ಹಳ್ಳಿಗಳಲ್ಲಿ ಗ್ರಾಮ ಲೆಕ್ಕಾಧಿಕಾರವರು ಮೇಲ್ಕಂಡ ನಾಲ್ಕು ಜಮೀನ್ ಅನ್ನು ಸ್ವಾಧೀನಪಡಿಸಿಕೊಂಡಿರುವ ಕೇಯೂ ಗಣಿಗೆ ಬೇಸರ್ಕಾರಕ್ಕೆ ವರ್ಷಾಸನಕ್ಕೆ ಕಂದಾಯವೂ ವಿಸ ದಿದ್ದಕ್ಕೆ ಲ್ಲಾಡಿರಬೇಕು

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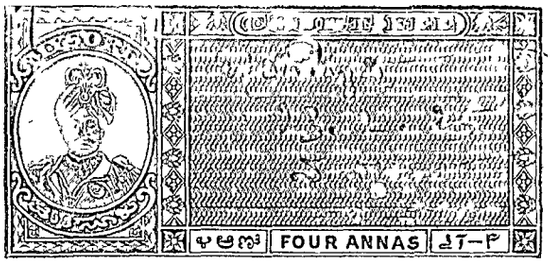
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Appeal against the order of the Rev. Comr re wrong inclusion of his land as Devadaya Inam.

By Ly post 26/2/25

Rev. Secy. to Govt. with compts

13MAR 925
MUZ

ಮೈಸೂರು ಸರ್ಕಾರದ ದಿವಾನ್ ಕಾರ್ಯದರ್ಶಿಯವರಿಗೆ

ಅರವರ ಚಿತ್ತಾಯಿಸಿ.

ಸಂ ಸರ್ವೆ 1925 ನೇ ಇಪ್ಪಿ ಪ್ಲೇಬುವರಿ ತಿಂಗಳ 22ರಲ್ಲಿ ನೀಡಲಾದ ಆದೇಶದ ಪ್ರತಿಯನ್ನು ಲಗತ್ತಿಸಿ ಈ ಸರ್ವೇನಂಬ್ರ ಹಾಗೂ ಸರ್ವೆ ನಂಬ್ರಗಳಲ್ಲಿ ಒಳಪಟ್ಟ ಜಮೀನಿನ ಸಂಬಂಧವಾಗಿ ಈ ಕಚೇರಿಯಲ್ಲಿ ಇರುವ ಕಡತಗಳನ್ನು ಕಳುಹಿಸಿಕೊಡಲಾಗಿದೆ.

ಈ ಜಮೀನು ಶ್ರೀರಂಗಪಟ್ಟಣ ತಾಲ್ಲೂಕು ಕಸಬಾ ಹೋಬಳಿಯಲ್ಲಿ ಇರುವುದಾಗಿದ್ದು ಈ ಜಮೀನಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಈ ಕಚೇರಿಯಲ್ಲಿ ಇರುವ ಕಡತಗಳಲ್ಲಿ ದಿನಾಂಕ 1871-72 ನೇ ಇಸವಿಯಿಂದ ಈಚೆಗೆ ಈ ಜಮೀನಿನ ಸಂಬಂಧವಾಗಿ ಯಾವುದೇ ಪತ್ರವ್ಯವಹಾರಗಳು ಕಂಡುಬರುವುದಿಲ್ಲ. ಆದರೆ ಈ ಜಮೀನು ಶ್ರೀರಂಗನಾಥಸ್ವಾಮಿ ದೇವರ ಹೆಸರಿನಲ್ಲಿ ಇರುವುದಾಗಿ ಹಾಗೂ ಈ ಜಮೀನಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಶ್ರೀರಂಗಪಟ್ಟಣ ಸಬ್ ರಿಜಿಸ್ಟ್ರಾರ್ ಕಚೇರಿಯಲ್ಲಿ ಇರುವ ಕಡತಗಳಲ್ಲಿ ಈ ಜಮೀನು ಶ್ರೀರಂಗನಾಥಸ್ವಾಮಿ ದೇವರ ಹೆಸರಿನಲ್ಲಿ ಇರುವುದಾಗಿ ಕಂಡುಬಂದಿದೆ. ಈ ಜಮೀನು ಯಾವ ಕಾರಣದಿಂದ ಶ್ರೀರಂಗನಾಥಸ್ವಾಮಿ ದೇವರ ಹೆಸರಿನಲ್ಲಿ ಬಂದಿರುವುದೆಂಬ ಸಂಪೂರ್ಣ ವಿವರಗಳು ಈ ಕಚೇರಿಯಲ್ಲಿ ಲಭ್ಯವಿಲ್ಲದಿರುವುದರಿಂದ ಈ ಜಮೀನಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಸರ್ವೇನಂಬ್ರ ಮಾಡಿಸಿ ಸಾಗುವಳಿ ಚೀಟಿಯನ್ನು ಕೊಡಲು ಈ ಕಚೇರಿಯಲ್ಲಿ ನಿರ್ಬಂಧಕಾರಿಯು ಇರಲಿಲ್ಲ. ಈಗ ಪತ್ರವ್ಯವಹಾರಗಳಿಂದ ಮತ್ತು ಕಡತಗಳಿಂದ ತಿಳಿದುಬಂದಿರುವ ವಿಷಯಗಳನ್ನು ಮಾತ್ರ ಈ ಕೆಳಕಂಡಂತೆ ಅನುಬಂಧಿಸಿ ಕಳುಹಿಸಿಕೊಡಲಾಗಿದೆ.

ದಿನಾಂಕ 6-8-1922 ರಲ್ಲಿ ತಾಲ್ಲೂಕು ಶಿರಸ್ತೇದಾರರು ಈ ತಾಲ್ಲೂಕಿನ ಸರ್ವೇನಂಬರ್ 17 ನೇ ಜಮೀನನ್ನು ತಾವು ಅಗ್ರಹಾರ ಪ್ರಾಧೀನ ಮಾಡಿಕೊಂಡಿರುವುದಾಗಿಯೂ ಜಮೀನಿನ ಮೇಲೆ ಸರ್ಕಾರಕ್ಕೆ ಬರಬೇಕಾದ ಕಂದಾಯವನ್ನು ಕಟ್ಟಿಸಿಕೊಳ್ಳುವಂತೆಯೂ ಬರೆದಿದ್ದರೆ ಅದಕ್ಕೆ ಉತ್ತರವಾಗಿ ಸರ್ಕಾರದಿಂದ ಯಾವುದೇ ಪತ್ರವ್ಯವಹಾರಗಳು ಕಂಡುಬರುವುದಿಲ್ಲ. ಆದರೆ ಈ ಜಮೀನಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಸರ್ವೇನಂಬ್ರ ಮಾಡಿಸಿ ಸಾಗುವಳಿ ಚೀಟಿಯನ್ನು ಕೊಡಲು ಈ ಕಚೇರಿಯಲ್ಲಿ ನಿರ್ಬಂಧಕಾರಿಯು ಇರಲಿಲ್ಲ. ಈಗ ಪತ್ರವ್ಯವಹಾರಗಳಿಂದ ಮತ್ತು ಕಡತಗಳಿಂದ ತಿಳಿದುಬಂದಿರುವ ವಿಷಯಗಳನ್ನು ಮಾತ್ರ ಈ ಕೆಳಕಂಡಂತೆ ಅನುಬಂಧಿಸಿ ಕಳುಹಿಸಿಕೊಡಲಾಗಿದೆ.

ದಿನಾಂಕ 6-8-1922 ರಲ್ಲಿ ತಾಲ್ಲೂಕು ಶಿರಸ್ತೇದಾರರು ಈ ತಾಲ್ಲೂಕಿನ ಸರ್ವೇನಂಬರ್ 17 ನೇ ಜಮೀನನ್ನು ತಾವು ಅಗ್ರಹಾರ ಪ್ರಾಧೀನ ಮಾಡಿಕೊಂಡಿರುವುದಾಗಿಯೂ ಜಮೀನಿನ ಮೇಲೆ ಸರ್ಕಾರಕ್ಕೆ ಬರಬೇಕಾದ ಕಂದಾಯವನ್ನು ಕಟ್ಟಿಸಿಕೊಳ್ಳುವಂತೆಯೂ ಬರೆದಿದ್ದರೆ ಅದಕ್ಕೆ ಉತ್ತರವಾಗಿ ಸರ್ಕಾರದಿಂದ ಯಾವುದೇ ಪತ್ರವ್ಯವಹಾರಗಳು ಕಂಡುಬರುವುದಿಲ್ಲ. ಆದರೆ ಈ ಜಮೀನಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಸರ್ವೇನಂಬ್ರ ಮಾಡಿಸಿ ಸಾಗುವಳಿ ಚೀಟಿಯನ್ನು ಕೊಡಲು ಈ ಕಚೇರಿಯಲ್ಲಿ ನಿರ್ಬಂಧಕಾರಿಯು ಇರಲಿಲ್ಲ. ಈಗ ಪತ್ರವ್ಯವಹಾರಗಳಿಂದ ಮತ್ತು ಕಡತಗಳಿಂದ ತಿಳಿದುಬಂದಿರುವ ವಿಷಯಗಳನ್ನು ಮಾತ್ರ ಈ ಕೆಳಕಂಡಂತೆ ಅನುಬಂಧಿಸಿ ಕಳುಹಿಸಿಕೊಡಲಾಗಿದೆ.

ఇ కవిత్వశతనరనాడ్కులరు నాచ్చు ఆచిత్ర్ కు ని దారల్లు పోలే
శిలాచూనిశిద్దరమేలి రు, శివమ్మాకవిత్వశతనరే నాడ్కోబరంనర్ల్లు
అప్పటలో చూడి కొండిద్ద ని ఆంధరూసరు యూఆ విద్వాచి చిచారంగా
మాడదర్ దేప్పుబిలక-విలశనరు ఎమాచిదఆ ఆనశ్రీ న్యాలుపంత
ఒప్పి కొండి రుక్కాక్ కార్గా సన్నిచింపుల్లు బోదఆఆ దీనందరే

సదర ఆ చిత్ర్ 1850 నాన్నిప్పి రర్ప్పావణద లాగా ఆమ్ము నాగసూర
ఒపలూనప్పన డొండ శి నుంరులింగమ్మ చిం బుంచర ఖాశే న్నిద్దే
1871-72 రల్లు శ్రీరంగ పాథ్ధదేవర చింత ఖాశే ఆరూఆ గార్గాగా
చ మేలి బదలాయిప కోన్నవచిపిఆంరు. ఆరూరూ చి బాంధేల్లు శ్రీర
శే నాగర మేఆలో కంచాయి. కొఆ్ఆ కొంఆ. ఆనుంభవి పుత్రి ద్వద్వ దళ్ల
నాగూ ఒళ్ళిది ఎమూలగా- ఉడేదు ఆనుభవి పంచ్చా న్నిద్దేనే.

ఆచిమూలిదాగా శేగేద నోఆచిసవల్లు ముజరాంలు ప్రోన్నిరిప్పన్
నంబ్ర 1734-6 / 18-11-1920 నాదరల్లు న్నినాంచ చిత్ర నుగాళ్ళ బూఆ్లగోకంత్రి
భూమ్యాయుగరఒ ఉద్దేం ర ఆ డెడరి న్నిరుక్కా ప కాగారి చ చిత్రపంబ్ధి
కొంగబోకాగా డొల్లుచదుంరనా వ న్యాయం.

న్నిదరంశే ఖ్యాన్నా చుందల్లు న్నిసక్తి ఎక్కాక ప కాగారి బే చిత్రపు
గళ్ళు దొఆర ఖాశే నేపు చనాశ్ర న్నిరంచుదో శ్రీచాంలు, బాబ్బరింపు
బ్రిరిసే అదవ్యశ్రీయు, బ్రిన్యాశ్ర్ ఎక్కరచమూలక, అప్పశ్రీ ఎబ్రాశ్రీ
ప గళ్ళు ఎంచూని మే. హానే దొచర్ర్ గ్నిఆచి చ సంచబ్ధనదల్లు శ్రీ
చళిసే యుగచ విద్వాచ శ్రీకారు శ్రీచారదో న్ని శ్రీళ్ళిస్తే కేగే
దిరుచదు శోఆ్రచ నిరంయు చాగిదే

ఇంథా చిచ్చు ంయు గళ్ళు శ్రీఆ్లూ శి-నల్లు . ప చేరి
ప చేళ్ళించ్చ చాచ 1871-72 రల్లు ర రంరూఆ్ర ప చేళ్ళు ప్రగతో
2 ప్రగూళి చదుగో 3 ఆ ప్రళ్ళి చే ప్రగుళి బాళ్ళి- 4 ప్ర ర చ్చిశ్రీకే
చ శ్రీకే శ్రీచాద ప్రతి గళ్ళు న్ని లేన్ని గళ్ళు న్ని ఎం రంళ్ళుధ్ధ నే ఎయుం
దొఆర ర ఖాంప్ర రంగే న్నిరుచ ఖాశే నచ్చుళు రే ప్ర రంగే ఎగుళి

To
The Secretary
Rao

Muz 4]

SUBJECT..... .....

.....

.....

Diary No. of letter replied to _____

Section Muz.

File No. 21 Muz.

Serial No.

Muzrai Secretariat

( )

, the *192*

No. 1412

Date of issue 28-3-25

To

The Muzrai Comr

Signed by [illegible] Sir,

In contn of this office
letter no. 1344-Muz. 240-24-3
dy 13-3-1925 calling for
a report on the appeal
petition of Pandurangaa
Bhatta regarding the
Kansayam land of Sri
Ranganatha Swamy temple
at Soab, I am directed
to forward herewith the

citizens Nos 1493, 1494 and
1492, from Mahantappa, Dt 22-2-1925
Sura Setty and Murtidhara
Kalo Gokhale complaining
that, the heirs of the late
has been wrongly made out
in the name of the said
Devaraj, and to request
that the sum of the
deposit, may be refunded

I have &c

24/3/25

Dy) Rev Secretary

24/3/25

List of enclosures

Copied by

Examined by

WD 0563—GPB—2 500—27 7 22

45371

Office of the Muzrai Commissioner in Mysore.

1115/M.5
Cen 2 files
From 1 copy

Dated Bangalore, 7th May 1925.
8th

C. S. Balasundaram Iyer, Esq., B.A.,
Muzrai Commissioner in Mysore,
Bangalore.

MAY 925
MUZRAI
Dr. 1746

To
REV. SECTT.
BR.
8 MAY 1925
G. D. SECTION.

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department.

Sir,

With reference to your letter Nos.1344/Muz.240-24-3 dated 13th March 1925 and 1412/Muz.240-24-7 dated 28th March 1925 forwarding petitions of Pandurangabhatta appealing against this office -- order re the kandayam lands of Sri Ranganathaswamy temple at Sorab and also of Mahantappa and others complaining of the khate of their private lands being wrongly made out in the name of the aforesaid Devaru, I have the honor to submit herewith the entire records -- received with the Deputy Commissioner's letter No.H.C.276 of 24-25 dated 20th April 1925 (copy of which is also herein enclosed) -- connected with the subject. (7) This office file pertaining to the case is also submitted and the facts of the case are fully setforth in the preamble to this office order R.Dis.No.28 of 24-25 dated 17th September 1924 under appeal.

The petitions and its enclosures received with your letters under reply are returned.

I have the honor to be,
Sir,
Your most obedient servant,
For Muzrai Commissioner.
(Absent from station.)

KSR.

Letter No.H.C.276/24-25 dated 20th April 1925 from the Deputy Commissioner, Shimoga District to the Muzrai Commissioner in Mysore.

- - - - - - - -

"With reference to your letter No.C.1115 of 24-25 dated 18th - March 1925 and No.C.1115 of 24-25 dated 4th April 1925 calling for a report with records in the appeal petition of Panduranga Bhatta and others re: the leasing out of the kandayam lands of Sri Ranganatha Swami temple at Sorab, - have the honor to submit herewith the entire records connected with the case and ending with Sagar Sub Division Officer's No.H.C.201/24-25 dated 31st March 1925.

2. Sri Ranganathaswami temple at Sorab is a Muzrai institution in receipt of a malnad cash grant of Rs.215-14-0 a year and endowed with Inam lands assessed in all at Rs.128/-. The temple is also in possession of extensive kandayam lands which have been in the enjoyment of third parties, only a nominal income being derived for the benefit of the temple. As per instructions contained in Government order No.1734-6/Muz.112-20-2 dated 18th November 1920 sanctioning a scale of income and expenditure for the temple, steps were taken in the matter of leasing out the temple lands to its best advantage with a view to improve its ~~resources~~ resources. Panduranga Bhatta and - others put in petitions protesting against the leasing out the lands & and praying that the sale of the "Saguvalihak" of the lands might be stayed, and alleging that they were the absolute owners of the lands. It is admitted by the petitioners that the khate of the lands was made out in the name of the temple at the time of the original survey settlement so far back as 1871. Further it is observed from records that there was a civil litigation and the Chief Court in second appeal No.1120 of 1890, decided that the holders were only tenants and that they were bound to pay rent. The Sub Division Officer Sagar to whom the petition was sent for a detailed report was of opinion that, under the circumstances represented above, the Amildar was in order in ---- attempting to re-lease the lands and reported that the sale had been held in abeyance owing to the loud protest made. I perused the --- records and passed orders on 14th December 1925 holding that the --- contention of the petitioners that they are the real occupants of the Kandayam lands which are registered in the name of the deity, is not at all tenable; that it has been decided that their position is no

more

more ~~that~~ than that of the tenants; that it is open to the authorities to release the lands to the best advantage of the institution. An appeal was preferred against the above order to the Revenue Commissioner who dismissed the appeal and has mentioned in his order that in view of the appellant's long possession, however, it is open to the Deputy Commissioner to fix the rent at fair rates and offer the lands to the appellants for a fixed term.

2. The appeal petitions forwarded with the letters under reference as well as that of one Srinivasaiah received without a covering docket are herein enclosed, as also the appeal petitions forwarded with your memo No.C.1115/24-25 dated 6th instant."

"C o p y"

for Muzrai Commissioner.

KSR.

G. R. S. VI—G/32]

SUBJECT .....

.....

.....

Diary No. of letter replied to .....

Section Revenue

File No. 2(1)5-25

Serial No. 2

General and Revenue Secretariat

( )

, the 192

No. 1680

one bundle of revenue records

Date of issue ... 21. 5. 25

To

Signed by ... A.V.T.R.

The Insp. Comr

Sir,

Adverting to your letter no. 1115 dy 8th may 1925 reporting on the appeal petitions of Pandurangaa Bhatta and others in the matter of the recovery of Sitta from the Kandagadde lands in Hire Sahuna Village, Sorab over Taluq belonging to Sri

WD 0632—GPB—15000—12-24

nganatha Swamy temple at Srab, I am directed to request to be furnished with information on the points noted below:—

(1) What are the S. nos. involved in the civil litigation in 1890? Are they identical with the S. nos. now in question.

(2) Who is paying kandayam to Govt. for the lands in question? Have the apltts been paying any sum to the temple?

(3) Is there any truth in the pets' allegation that these lands were resumed by Govt. at the time of the Inam Settlement, (Vide their petition dy 22.3.24 to Sagar Sub Civil Officer), a copy of which is enclosed.

List of enclosures.

Copied by

Examined by

G. R. S. G/33]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

71

~~Rs~~ 215 and add heavy
Granites in its stead ?
(2) The Vern. records
are herewith returned
for reference and re-subs
I have etc.
V to S.S.
Bd/2 Rev Secretary
Bd
15/8/72

WD 2230—GPB—1,00,000—23 7 20

07175

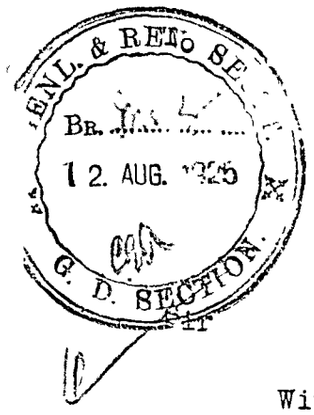
No. C 1115 9245 Office of the Muzrai Commissioner in Mysore.

nc & nc-file

Dated Bangalore, 11th August 1925.

From

C. S. Balasundaram Iyer, Esq., B.A.,
Muzrai Commissioner in Mysore,
Bangalore.



K. V. Anantaraman, Esq., B.A.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department.

With reference to your letter No.1680/Muz.240-24-9 dated 21st May 1925 calling for certain information in connection with the appeal petition of Pandurangabhatta and others in the matter of the recovery of the gutta from the kandayam lands in Hiresakuna village Sorab Taluk belonging to Sri Ranganathaswamy temple at Sorab, I have the honor to submit herewith a copy of the Shimoga District Deputy Commissioner's letter No.H.C.276/Rev.24-25 dated 27th July 1925 furnishing information on the several points referred to in your letter under advertence.

The vernacular records received with the Deputy Commissioner's letter are herein enclosed.

I have the honor to be,
Sir,
Your most obedient servant,
C. S. Balasundaram Iyer
Muzrai Commissioner.

KSR.

Letter No.H.C.276/Rev.24-25 dated 27th July 1925 from the Deputy Commissioner, Shimoga District to the Muzrai Commissioner in Mysore, Bangalore.

- - - -

"With reference to your letter No.C.1115/24-25 dated 26th May 1925, calling for certain information in connection with the appeal petition of Pandurangabhatta and others re:the leasing out of the -- kandayam lands of Sree Ranganathaswami temple at Sorab, I have the honor to state as follows:--

The survey numbers involved in the civil litigation of 1890 are not specified in the copy of the civil court judgment enclosed in the records (flag-A) But it is seen from the judgment that the defendants in the suit were (i) Ruttamma and (ii) Basappa and what was due from them annually was cash payment of Rs.207-5-2 and rent in kind of 75 chitni khandagas of paddy. These particulars show that the lands referred to in the civil suit may be survey numbers 4,6,14/1,23,36,50,54/1,55/1,129,62/1,63,67,76/1,91,90,78,79,119, 120 and 118 of Husakuma village as noted against Saguvalidar No.1 in the enclosed kulvar list prepared in 1915 (vide flag B).

2. As regards the 2nd point, viz., "Who is paying kandayam to Government for the lands in question and have the appellants being paying any gutta to the temple" it is ascertained that both kandayam due to Government and the migate amount due to the temple were being recovered from the saguvalidars of the lands, the kandayam being credited to Land Revenue and the migate to the temple funds and that for the last three years, the kandayam due to Government, is being paid out of the temple funds at the close of the official year, as the saguvalidars defaulted payment and the amount subsequently recovered from saguvalidars is being credited to the temple funds. The kulwar patti (flag-B) shows the amount of kandayam and the migate that are being recovered from the saguvalidars for a very long time.

3. As regards the allegation that the lands were resumed to Government at the time of Inam Settlement, a cash grant of Rs.215-4-0, being granted in their stead, the Amildar reports that the petitioners have never before produced any documentary evidence in support of their allegations and that no references regarding any such resumption are forthcoming in the Taluk Office. If the lands, as alleged by the petitioners, had been really resumed to Government, at any time, the khate of the lands, would not have been made in the name of Sri -/ Ranganathaswami. Thus, there seems to be no truth in the allega

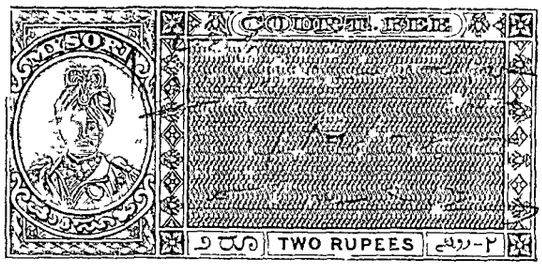
4. The entire records ending with Sagar Sub-Division Officer's No.N.Dis.on O.C.16/25-26 dated 9th July 1925, are herewith resubmit

"C o p y"

4/8/25

for Muzrai Commissioner.

KSR.



entered before
1st member
for work.

In the Court of the Before the Govt of Mysore

16/11/25

Misc appeal **CASE No** 24 **OF 1924–1925.**

Appellant Plaintiff		*Respondent Defendant*
Nallanthappa Bhangarappa	**Vs.**	Govt

1 We above named do hereby appoint **Mr. M. SRINIVASA RAO,** B.A., LL. B., Advocate, and Mr ..... to conduct the above case on our behalf to judgment.

2 We do hereby also authorise them to file any petition in the case, to withdraw or deposit moneys in Court that may be necessary for the purpose of conducting the case and to examine witnesses, file process fees, diet moneys, summon witnesses, and to file any and every paper necessary for conducting the case on our behalf.

3 We further empower them to do all necessary acts in the above case, to execute any decree or order that may be passed in our behalf and to receive from the Court all Documents, refunds, and all sums of money that we may be entitled to get and grant receipts thereof.

4 We do hereby also agree to confirm and ratify all acts done by the said Advocates or by any other Advocate on their behalf in so doing

In witness whereof I do hereunto set my hand on the 7th **day of** Nov **19**24

BANGALORE
7/11/25 192

ಮಲ್ಲಪ್ಪನವರು

Accepted M Srinivasa

Advocates

Personally known to me and signed in my presence

M S R
Advocate

THE MODEL PRINTING HOUSE, BANGALORE CITY

Advocates for Govt

(G)

Before the Government of His Highness the Maharaja of Mysore.

Huz. Appeal No. 4 of 1934-5

Appellant.	*Vs.*	Respondent
1. Hosakoppada Mahontappa 2. Srinivasachar, Soral. 3. Pandurangabhatta. 4. Muralidhara Kalo Ockhale 5. Sura Setti.		

Subject.

Appeal against Dev. Jour's. order dated 10-11-1934 dismissing the appeal of S. Venkobachar and others of Hiriyadka village, Coorg District, against the order of the Dy. Comrs. Kanara District, declaring the Kandayam lands in the Khata of Sri Manjunathaswamy temple at Soral.

Decision.

The case was received on the 7th November 1934, [illegible] Rao, B.A., Dewan and [illegible] Registrar [illegible] Hiriyadka [illegible] [illegible] appeal [illegible] [illegible] [illegible]

possession of the appellants were ordered by the Sub-Divn. Officer to be resumed on behalf of the temple and leased out by auction in the interests of the temple. The order of the S.D.O. having been confirmed by the Dy. Commr. as well as by the Revenue Commr. on appeal, the appellants have approached Govt. for a modification of the order.

3. The contention of the appellants is that though the lands stood nominally registered in the name of the temple, they were themselves the real owners thereof, and that they have been long in possession and enjoyment of the lands as owners paying assessment direct to the Govt. and that they have never paid any Migate to the temple in respect of the lands, as reported by the Amildar. It is also contended that there is no provision of law under which they can be summarily ousted from and deprived of the possession of the lands by the Rev. authorities.

4. With regard to the first of the above contentions there does not appear to have been any enquiry made or evidence recorded in respect of the ownership of the lands and the alleged payment of Migate by the occupants thereof to the temple. A decision of the Chief Court dated 1891 is referred to as authority for holding that the lands in question belonged to the temple. But it cannot be made out what the lands were which formed the subject of dispute in

that case, and whether they were the same as those now in possession of and claimed by the appellants as their private properties. It is therefore necessary that a thorough enquiry should be made in the presence of the parties about the ownership of the lands in question and whether they are the property of the temple or of the appellants: and in the former case whether the appellants are permanent tenants entitled to continue possession of the lands as long as they pay a certain Kist or tenants-at-will who can be turned out by the temple (as land lord) at any time; and that definite findings with reasons therefor should be recorded on the above points.

5. Assuming that it is decided that the lands are the property of the temple, the next point for consideration is how the possession of the lands should be obtained for the temple - whether they can be restored to the temple by the Rev. or Luz. authorities by summary process or whether recourse should be had to the Civil Court by the temple for obtaining possession of the lands. Govt. are unable to see under what provision of Rev. Law, the Rev. Comr. confirmed in appeal the order of the S.D.C. and by. Comm. directing the summary eviction of the appellants from the lands and leasing out of the lands by auction for the benefit of the temple. Govt. do not think that such an order can be passed by the Rev. authorities under any provision of law not could an order of the kind be passed even by Luz. Officers except in cases falling under Sec. 10 of the Act. Sec. 7 [illegible]

and the present case does not appear to come under the above section. In the absence of any provision of law for the eviction of the appellant and the assumption of the lands by summary process of the Rev. or Munsi authorities, the proper course to them will be to obtain possession of the lands for them through by a Civil Court.

6. For the above reasons, the order under appeal is set aside and the case remanded for fresh enquiry and disposal according to law, in the light of the observations made above.

Memo No. 654 dated 26-11-1925.

Mem. 2140-26-11 Encl. as file

Copy of the above is forwarded with compliments to the Luz. Commr. returning the entire records received with his letter No. C.1115 dated 11-8-1925.

By order,

21.11.25.

Revenue Secretary.

The order may be printed.

21/11/25

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS

G O. No. 654—Muz. 240-24-11, dated 26th November 1925.

Sri Ranganathaswami Temple at Sorab.

Remands the appeal case *re* the Kandayam lands in the Khate of —— for fresh enquiry.

Muz. Appeal No. 4 of 1924-25.

Appellants. *Vs.* Respondent.

1. Hosakoppada Mahantappa.
2. Srinivasachar, Sorab.
3. Pandurangabhatta.
4. Muralidhara Kalo Gokhale.
5. Sura Setti.

Subject.

Appeal against Revenue Commissioner's order dated 10th November 1924, dismissing the appeal of S. Venkobachar and others of Hiresakuna village, Sorab Taluk, against the order of the Deputy Commissioner, Shimoga District, regarding the Kandayam lands in the Khate of Sri Ranganathaswamy temple at Sorab.

DECISION.

The case was heard on 7th November 1925. Messrs. M. Srinivasa Rao, H. Krishnappa and B. Krishna Rao appeared on behalf of the first three of the appellants, while the other two appellants were present in person.

Certain Kandayam lands which are registered in the name of the temple but which have been long in possession of the appellants were ordered by the Sub-Division Officer to be resumed on behalf of the temple and leased out by auction in the interests of the temple. The order of the Sub-Division Officer having been confirmed by the Deputy Commissioner as well as by the Revenue Commissioner in appeal, the appellants have approached Government for a modification of the order.

2. The contention of the appellants is that though the lands stood nominally registered in the name of the temple, they were themselves the real owners thereof, and that they have been long in possession and enjoyment of the lands as owners paying assessment direct to the Government and that they have never paid any *Migate* to the temple in respect of the lands, as reported by the Amildar. It is also contended that there is no provision of law under which they can be summarily ousted from and deprived of the possession of the lands by the Revenue authorities.

3. With regard to the first of the above contentions there does not appear to have been any enquiry made or evidence recorded in respect of the ownership of the lands and the alleged payment of *Migate* by the occupants thereof to the temple. A decision of the Chief Court dated 1891 is referred to as authority for holding that the lands in question belonged to the temple. But it cannot be made out what the lands were which formed the subject of dispute in that case, and whether they were the same as those now in possession of and claimed by the appellants as their private properties. It is therefore necessary that a thorough enquiry should be made in the presence of

the parties about the ownership of the lands in question and whether they are the property of the temple or of the appellants and in the former case whether the appellants are permanent tenants entitled to continue possession of the lands as long as they pay a certain *Migate* or tenants-at-will who can be turned out by the temple (as landlord) at any time; and that definite findings with reasons therefor should be recorded on the above points.

4. Assuming that it is decided that the lands are the property of the temple, the next point for consideration is how the possession of lands should be obtained for the temple, whether they can be restored to the temple by the Revenue or Muzrai authorities by summary process or whether recourse should be had to the Civil Court by the temple for obtaining possession of the lands. Government are unable to see under what provision of Revenue Law, the Revenue Commissioner confirmed in appeal the order of the Sub-Division Officer and Deputy Commissioner directing the summary eviction of the appellants from the lands and the leasing out of the lands by auction for the benefit of the temple. Government do not think that such an order can be passed by the Revenue authorities under any provision of law nor could an order of the kind be passed even by Muzrai Officers except in cases falling under Section 10 of the Muzrai Regulation, and the present case does not appear to come under the above section. In the absence of any provision of law for the eviction of the appellants and the assumption of the lands by summary process of the Revenue or Muzrai authorities, the proper course to take will be to obtain possession of the lands for the temple by a Civil Court.

5. For the above reasons, the order under appeal is set aside and the case remanded for fresh enquiry and disposal according to law, in the light of the observations made above.

MEMO No. 654—MUZ 240-24-11, DATED BANGALORE, THE 26TH NOVEMBER 1925.

Copy of the above is forwarded with compliments to the Muzrai Commissioner returning the entire records received with his letter No. C. 1115, dated 11th August 1925.

Exd.—P. S. R. N.

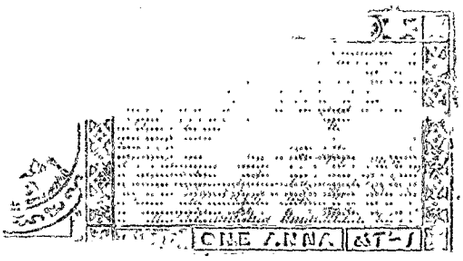
By Order,

B. SRINIVASA IYENGAR,

Secretary to Government,

Revenue Department.

W D 1159-GPB-375-8 12 25



మువ్వ కాయిల అడిషనల్ నంబర్ 4

1924-25

37

Mudr

AV.
14/7.

శ్రీ వ్యవసాయ సంస్థానపు శ్రీగవర్నమెంట్ వారి కాటన్ సెక్రటరీ
సాహెబ్ గారు మువ్వ కాయిల మీద శిక్షణ నిమిత్తం
శ్రీ రంగనాథరాజు నాయుడు గారిని పంపినట్లు

FINANCIAL SECRETARY
9 JULY 1927
No. 428

సెలవిచ్చినందుకు వందనములు. ఆ ప్రకారమే వారిని
శిక్షణకు పంపియున్నాము.

తేదీ 6.7.1927.

మువ్వ కాయిల అడిషనల్ నంబర్ 4 నిమిత్తం
24-25

మీరు అడ్వొకేట్ ఎ.వి. కృష్ణారావు గారి వద్ద అడిషనల్ అసిస్టెంట్
గా చేరినట్లు మీరు వ్రాసిన ఉత్తరం అందినది. మీరు
శిక్షణ కాలంలో ఆ ఆఫీసులో ఏ పనులు చేయవలసి
వచ్చినా, ఆ పనులు చేయడానికి మీరు సిద్ధంగా ఉండవలసి
ఉంటుంది. ఆ ఆఫీసులో మీరు ఎంత కాలం ఉండవలసి
వచ్చినా, ఆ కాలమంతా మీరు ఉండడానికి సిద్ధంగా
ఉండవలసి ఉంటుంది. ఆ ఆఫీసులో మీరు ఎంత కాలం
ఉండవలసి వచ్చినా, ఆ కాలమంతా మీరు ఉండడానికి
సిద్ధంగా ఉండవలసి ఉంటుంది. ఆ ఆఫీసులో మీరు
ఎంత కాలం ఉండవలసి వచ్చినా, ఆ కాలమంతా మీరు
ఉండడానికి సిద్ధంగా ఉండవలసి ఉంటుంది.

సర్టిఫికేట్లు తీసుకొని 15-7-1927 తరువాత
నీ సౌకర్యమును బట్టి మీరు వారి వద్దకు వెళ్ళి
చేరుకోవలసినది. ఎందుకంటే ఇంటర్వ్యూలు మొదలు
చేయడానికి 10-8-0 బాబు కోసం ఎస్టాబ్లిష్మెంటు
ఆఫీసర్ గారు ఏర్పాటు చేసినట్లు తెలియజేశారు.
ఆ ప్రకారమే ఇంటర్వ్యూలు మొదలు చేయడానికి
ఏర్పాటు చేయబడినది.

Answers Br.

20/7

20/7

APP. F. VI. Gl.]

SUBJECT.....

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Section Mis

File No.

Serial No.

No. 124 one file

To

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General and Revenue Secretariat

( )

the 192

Diary No. of letter replied to.....

Date of issue 20.7.27

Signed by M. Venkatesa

Upper

W.r. acknq. the encls.

& submit for appl.

14.7.27

RO 14/7

Issue

mw

16

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